

APPROVED: Meeting No. 37-97

ATTEST: *Paula Jewell*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 31-97

July 14, 1997

The Mayor and Council convened in General Session in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on July 14, 1997, at 7:35 p.m.

PRESENT

Mayor Rose G. Krasnow

Councilmember Robert E. Dorsey

Councilmember James T. Marrinan

Councilmember Glennon J. Harrison

Councilmember Robert J. Wright

In attendance: City Manager Rick Kuckkahn, City Clerk Paula Jewell and City Attorney Paul Glasgow.

Mayor Krasnow noted the passing of Civil Rights Activist Hanley Norment who was fatally injured in a car accident on July 10. She expressed the Mayor and Council's condolences to Mr. Norment's family.

Re: City Manager's Report

1. The Potomac River is running at very low levels due to a lack of rain. Last week, the level dropped eight inches. This, along with high temperatures, was the cause of recent taste problems with the City's water. Steps were taken to correct the problem and Mr. Kuckkahn said that the water was safe to consume. The Army Corps of Engineers is releasing reserve water on July 19 which will run for 24 hours, which should help to resolve the problem. However, if no rain falls within the next week, the purchase of water will be necessary. The City is not restricting water use at this time, however, residents are asked to be conservative about lawn watering, car washing, and

long showers, in order to help the City avoid having to purchase water from WSSC.

2. On July 19, the Rockville Rotary Twilight Runfest will take place in Courthouse Square. Festivities begin at 7:00 pm; the 8K Wheelchair Start is at 8:40; and the 8K Race Start is at 8:50 pm.

3. The final Bikeway Master Plan Open House will take place on July 16 at the Social Hall at Rockville Civic Center Park. Residents may obtain copies of the Bikeway Plan by calling 301-309-3330.

4. On July 8, the Mayor and Council dedicated the New Town Center Park and the Spirit of Rockville sculpture. Mr. Kuckkahn thanked Rockville Center, Inc. for their participation in the event, as well as the State and County officials for the financial support of this wonderful addition to the City's Town Center.

5. A number of exciting summer events are taking place in the Town Center area: Family Arts Night features a presentation of "Retrospect" on July 25 and "Dinner Dogs" on August 1st. On Tuesdays at noon, the Brown Bag concerts take place in Courthouse Square Park. Residents are reminded to check their issues of Rockville Reports for a listing of all the City's summer activities.

6. On August 5, the City will celebrate "National Night Out." Over 30 parties are scheduled, and residents are encouraged to participate in one of the neighborhood National Night Out activities. As always, members of the Mayor and Council make an attempt to visit every party during the course of the evening. The parties provide an excellent opportunity to meet your neighbors and learn more about maintaining safe and secure neighborhoods.

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Re: Certificate Recognizing First
Class Scout Ryan Galloway, for
his heroic actions in saving his
sister's life.

Last summer, 13-year old Ryan Galloway, who is a member of Boy Scout Troop 447 of the Rockville United Methodist Church, rescued his sister (Kelly) who had been pulled out to sea by a rip current. This brave act of heroism involved more than a mile of swimming and took nearly one hour. Ryan had just completed his lifesaving merit badge at summer Boy Scout camp. For saving Kelly's life, Ryan was awarded the Boy Scout Honor Medal, which is the highest award for heroism awarded by the Scouts. The Mayor and Council presented Ryan with a Certificate of Congratulations in recognition of Ryan's heroic actions and for achieving the Scout's highest honor.

Re: Presentation of Certificates of
Participation to Naisham
Jamshidi and Jonathan Rogers
for their work on the Teen
Mural Project.

Under the guidance of the City's Artist In Residence Christine Medley, Naisham Jamshidi and Jonathan Rogers designed and fabricated the temporary mural which is located on the rear wall of the Rockville Senior Center. The mural depicts a welcome sign in many different languages. The Mayor and Council presented Certificates of Participation to Naisham Jamshidi and Jonathan Rogers.

Re: Presentation of Donation to
Rockville Recreation Fund

Irv Newman, President of Montgomery County Road Runners Club,
accompanied by John Sissala and Lyman Jordan, presented the Mayor and Council with a

donation of \$2,600 which represents a portion of the proceeds from the 2nd Annual Pike's Peek Race. Mr. Newman reported that a proposal had been discussed about hosting a Pike's Peek National Convention in the year 2000 or 2001.

Re: Citizens Forum - This time is set aside to hear from any citizen who wishes to address the Mayor and Council.

1. Marion Green, 333 Lincoln Avenue (former City of Rockville Employee expressed his concern about continuing health insurance coverage for retired employees after they reached the age of 65. Staff was asked to meet with Mr. Green to explain the City's policy on this issue.

2. David L'Heureux, President, Rockville Sister City Corporation - spoke about past activities which had taken place in celebration of the 40th Anniversary of the Rockville-Pinneberg Sister City relationship. He then presented a Certificate of Appreciation to the Mayor and Council for their assistance in making the 40th Anniversary celebrations a huge success and a memorable occasion.

3. Dennis Cain, 502 Carr Avenue speaking on behalf of the Neighborhood Action Team of Imagine Rockville. At a recent meeting of the Action Team, there was a discussion about pedestrian policies and procedures. He said that the Action Team was very enthusiastic about the policies becoming codified and pleased to know that the Mayor and Council described Rockville as a pedestrian City. Mr. Caine said that he felt that there was still some way to go in balancing the needs of walkers against the needs of other forms of transportation. However, he believed that the Pedestrian Policies would make a difference and he thanked the Mayor and Council for adopting the Policy.

4. Herb Pennock, Chairman, Traffic and Transportation Commission said that with the assistance of City staff, the Commission was responsible for preparing the Synthesis of Pedestrian Policies. He said it was important to note that most of the document consisted of practices that had been followed by the City for many years. The document codified and explained the policies in a single location so that information would be readily available to citizens, businesses and developers. He urged the Mayor and Council to adopt the document as City policy, and he said that it was expected that the policies would be a living document that will change over time.

5. Randy Slovic, Montgomery County Sierra Club spoke about the City's drinking water. She suggested that residents not water anything, at any time. She said that if residents purchased native trees and shrubs that were indigenous to the area, they would tolerate the drought because they do not need to be watered. She also spoke about the effect of the Chestnut Lodge development on the Watts Branch Watershed. The water runoff directly impacted the quality of the water that went into the WSSC Water Treatment Plant. Ms. Slovic said that officials at WSSC recently testified at a hearing regarding Virginia's application to move their intake to the middle of the Potomac River to avoid sediment problems that they created on the Virginia side. WSSC said that 80 percent of the sediment that they filtered out of the WSSC Treatment Plant, came from the Watts Branch. Ms. Slovic said that the Chestnut Lodge development should have sediment control devices that were off-line, and the City needed to proceed carefully on sediment controls and storm water management.

6. Stan Klein, 7 Lorre Court said that he was pleased to see the Synthesis of

Pedestrian Policies come before the Mayor and Council for adoption. Referencing the area regarding "policies on development design," he said that the only time the City had an opportunity to enforce those particular policies was when a property came up for some type of action by the City. He encouraged the City to try to encourage property owners to voluntarily adopt the policies because they represented safe practices. Some of the properties in the City were landscaped in a way which forced pedestrians into vehicular driveways.

7. Anita Summerour, Lincoln Park Civic Association said that LCPA expressed strong support for the adoption of the resolution to designate the lot at Lincoln and Douglass Avenues as a City park. The symbols beautifully captured on the walkways of the park, represented the values which brought generations of Lincoln Park residents through hard times, and provided encouragement and inspiration to all of the residents today. Ms. Summerour said that LCPA members also discussed the proposed amendment to the Zoning Ordinance to define pawnbrokering establishments and to permit such uses in the I-1 Service Industrial Zone. She said that LCPA was opposed to amending the Zoning Ordinance to permit pawn shops in this Zone.

8. Bridget Newton spoke about the petition she delivered to the Mayor and Council on 6/30/97 requesting that they reevaluate the number of homes being considered for the Chestnut Lodge development. She explained that many of the names on the petition were people who had originally voted for the developer's plan because they felt that this was their only course of action. She said that it became apparent to the residents that no one ever considered less development rather than more development. The

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residents felt that 150 homes on 39 acres of land was too much and requested that the public record on the issue be reopened.

9. Phyllis Cavanaugh, 707 Grandin Avenue expressed her appreciation to the Mayor and Council for dedicating the Grandin Avenue water tower as a park site.

Re: Appointments

Upon motion of Councilmember Harrison, duly seconded and unanimously passed, Emlen Meyers was appointed to serve on the Historic District Commission.

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, Brendan Deyo, Thomas Rinehart, Michael Hirsch, and Susan Aitken were appointed to serve on the Science, Technology & Environment Commission.

Re: Approval of Minutes

Upon motion of Councilmember Wright, duly seconded and unanimously passed, the Minutes of Meeting No. 15-97 (March 25, 1997) were tabled to the July 28 General Session.

Upon motion of Councilmember Wright, duly seconded and unanimously passed, the Minutes of Meeting No. 16-97 (April 7, 1997) were approved as amended.

Upon motion of Councilmember Wright, duly seconded and unanimously passed, the Minutes of Meeting No. 17-97 (April 8, 1997) were approved as written.

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, the Minutes of Meeting No. 18-97 (April 14, 1997) were approved as amended.

Re: Consent Agenda

Councilmember Harrison requested removal of Consent Agenda Item C.

Upon motion of Councilmember Wright, duly seconded and unanimously passed, the following Consent Agenda Items were approved:

(A) Introduction of Ordinance to levy Special Assessments for Driveway Aprons constructed in Fiscal Year 1997. The City performed 52 driveway apron jobs requested by the residents. The assessable cost is \$38,405.32.

(B) Introduction of Ordinance to amend Chapter 24 of the Rockville City Code, entitled "Water, Sewers and Sewage Disposal," Section 24-46, "Water consumption charge" to provide that there will be no charge for water used in connection with a fire suppression system, in certain circumstances.

Re: Item (C) - Introduction of Ordinance to Grant Map Amendment Application MAP97-0063 to reclassify 39.6 acres of the Chestnut Lodge property from R-S, Suburban Residential to R-90, One-Family Detached, Restricted Residential Zone - Hillrose, L.L.C., Fall Line Company, Chestnut Lodge Research Institute, Inc., and Anthony Bullard, Trustee, 15245 Shady Grove Road, Applicants.

Councilmember Harrison requested removal of the ordinance. He said that while he was not opposed to the introduction of the ordinance, he did have a problem with the way the mistake rule applied to this issue. He personally believed that the sectional map amendment process would have been the appropriate way to approach this. He said he believed the Mayor and Council's assumption in 1989 was correct and that there is no

basis for a finding that a mistake had been made. He also said that while he would probably not vote against the ordinance when it did come back, he could not support the map amendment either.

Upon motion of Councilmember Wright, duly seconded and unanimously passed, the Ordinance to Grant Map Amendment Application MAP97-0063 was introduced.

Re: Presentation of three finalists' proposals for F. Scott Fitzgerald Theatre Lobby artwork. Award to Mary Ann Mears for her suspended tripartite sculpture and wall reliefs in the amount of \$15,000.

A call for entries was distributed to over 2,000 artists nationwide for artwork for the F. Scott Fitzgerald Theatre Lobby. Forty artists submitted slides and biographical information and the artist nomination committee selected three finalists to create site-specific proposals. Cultural Arts Commissioner John Moser presented the works of the three finalists: Rodney Carroll, Mary Ann Mears, and Hilda Thorpe. The Cultural Arts Commission (CAC) recommended that Mary Ann Mears be awarded the \$15,000 commission for her suspended sculpture and wall reliefs.

Upon motion of Councilmember Wright, duly seconded and unanimously passed, the CAC's recommendation was approved.

Re: Adoption of Resolution to designate Grandin Avenue Water Tank Site as a City Park.

Resolution No. 14-97

Councilmember Marrinan said that during a Council Drop-In visit with Phyllis Cavanaugh, she mentioned that there was a lack of clarity as to the actual size of the property being designated as a park. She felt that somehow the property line was moved so that the park land was smaller than what actually should be included. A line of trees may be on the land that the current owner of the neighboring property assumes is his property. Mr. Marrinan said that the property may need to be resurveyed to make sure that what we are designating included all of the City owned land. Mr. Kuckkahn said that a survey was ordered and would be part of the water tank demolition. Mr. Hall said that staff believed that there was a possible encroachment of a fence that made it appear that the lot next to the property was a little bit larger than the park area.

In response to a question from Councilmember Dorsey, Mr. Hall explained how City parks are named. The City has a park naming policy and this was sent to the neighborhood civic association. The Recreation and Park Advisory Board serves as a park naming body for the City; however, in this case, the residents in the neighborhood were asked to come up with a few names. These ideas will be turned over the Park Board, who uses specific guidelines, in the naming process, e.g., parks can not be named for a living person.

Upon motion of Councilmember Wright, duly seconded and unanimously passed, the Resolution to designate Grandin Avenue water tank site as a City park, was adopted. A copy of the full text of the Resolution may be found in Resolution Book No. 11 of the Mayor and Council.

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Re: Adoption of Resolution to designate lot at Lincoln Street and Douglass Avenue as a City Park.

Resolution No. 15-97

Upon motion of Councilmember Harrison, duly seconded and unanimously passed, the Resolution to designate the lot at Lincoln Street and Douglass Avenue as a City park, was adopted. A copy of the full text of the Resolution may be found in Resolution Book No. 11 of the Mayor and Council.

Re: Adoption of Resolution to designate the Watts Branch Stream Valley Greenway as an Urban Wildlife Sanctuary.

Resolution No. 16-97

Councilmember Harrison said that the proposal to designate the Watts Branch Stream Valley greenway as an Urban Wildlife Sanctuary was on the Mayor and Council's agenda one year ago, but was removed at that time. Mr. Kuckkahn announced that a ceremony dedicating the park was scheduled for July 26 at 10 a.m. The dedication will take place at Princeton Place and Baylor Avenue and the entire community is invited to join the Mayor and Council.

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, the Resolution designating the Watts Branch Stream Valley greenway as an Urban Wildlife Sanctuary, was adopted. A copy of the full text of the Resolution may be found in Resolution Book No. 11 of the Mayor and Council.

Re: Approval of restructure of remedies in Transition and

Development Agreement by and between the Mayor and Council of Rockville and Rockville Center, Inc. (RCI).

A modification of the Agreement is necessary to facilitate financing for the construction of the Retail Pavilion.

Mayor Krasnow stated said that Rockville Center Inc. (RCI) was in the process of finalizing its financing commitments for the development of Lot 5 in Town Center as a retail pavilion, containing a 1300 seat movie theater complex, several restaurants, and a public roadway. Garden parking will be provided on Lots 2 and 3 to serve the retail pavilion.

The Transition and Development (T&D) Agreement between RCI and the City contained certain provisions to protect the City in the event the developer failed to demolish the old Rockville Mall, build the new streets, and to provide for parking on Lots 2, 3, or 4. RCI fulfilled most of these obligations to the City. Mayor Krasnow said that RCI requested that the Mayor and Council restructure the remedies provided in the Agreement in order to facilitate financing to build the retail pavilion, movie theater and restaurants. RCI also requested that the Mayor and Council accept a \$3,500,000 letter of credit or other security payable to the City in order to ensure the completion of garden parking and the street construction. RCI will also provide its lender with a completion bond to protect the lender during the construction of the retail pavilion.

Councilmember Marrinan commented that the T&D Agreement was a very complex document. It was important that the Mayor and Council move forward with the

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approval of restructure of remedies in the Agreement. Mayor Krasnow said that as one of the members on the Council when the original Agreement was drawn up, she felt that the project was moving in the direction that the Mayor and Council intended. She said that Monroe Street was about to be opened and the Mayor and Council's approval would ensure the completion of Montgomery Avenue, or else the City would get \$3.5 million dollars. Ms. Krasnow expressed her comfort with the restructure of remedies.

Upon motion of Councilmember Wright, duly seconded and unanimously passed, the restructure of remedies in the Transition and Development Agreement was approved.

Re: Discussion and Instructions to Staff regarding PRU97-0019. An exploratory Application for a Planned Residential Unit development on a 39.6 acre portion of the Chestnut Lodge property, Hillrose, LLC, Applicant.

Chief of Planning Lisa Rother said that staff addressed questions raised by the Mayor and Council during the June 30 Worksession. The issues were concerning density, whether or the Planning Commission could deny a detailed application, and whether a pedestrian pathway should be required in the development, and the percentage of deviation that the Mayor and Council might want to clarify in its approval towards the Planning Commission's review of the detailed application. Ms. Rother said that actual densities were calculated with the applicant's PRU proposal and it was found that there would be 3.75 dwelling units per acre with the residential area only; excluding Bullards Park and the storm water facilities. With the Historic District

included, there would be 6.6 dwelling units per acre. If all of the larger areas were taken out, there would be 7.1 dwelling units per acre. For comparison purposes, the Mayor and Council were presented with the R-60 density which was 7.3 dwelling units per acre and the R-90 was 4.8 units per acre. Ms. Rother said that the calculations showed that the density approved under the applicant's procedure, showed that it was below the density of the R-60 and R-90 zones.

Ms. Rother said the Planning Commission may deny a detailed application if they find that the applicant has not met the four required findings listed in the memo. The most important finding was whether the detailed application complied without substantial deviation in the terms and conditions of the exploratory application approval.

3. Pedestrian Pathway connecting the southern half of the development with Bullards Park - Staff feels that this is a good idea and a good design consideration which could be incorporated. The Recreation and Parks Department had several conditions that they would like to place on the requirement regarding maintenance and design of the pathway.

4. Staff's Recommendation re clarification of the latitude of the Planning Commission - Staff recommends a deviation of five percent of units as a sensible factor to apply to the review. This would give the Planning Commission between 142-149 units, with 149 units being the absolute upper limit in order to approve the detailed application. If the Commission felt that less than 142 units was the appropriate density, then the application should be referred back for further review by the Mayor and Council.

5. Environmental Issues - (Detailed in a memo from the City's Civil Engineer Lise Soukup).

(a) Stream Buffers - Regarding the Mayor and Council's question as to what the County's guidelines were for buffer widths, Ms. Rother said that the 1997 Park and Planning guidelines called for a buffer width of 100 feet from each bank of the stream channel, for a total of 200 feet.

(b) Wetlands Avoidance - Ms. Rother said that the wetlands that would be disturbed, were those by the private alleys that serve the lots fronting Great Falls Road and any garages and driveways for two of the other units along Great Falls Road.

(c) On-site versus Off-site storm water management - The City's SWM policy is to eventually provide on-site storm water management for all development. The applicant's proposal for providing on-site development fit well with the City's stated policies.

(d) Remainder of CPC's property - The site flows in three directions; towards the Rose Hills subdivision; towards a storm drain system on Calvert Road, and some will drain towards the new lots near Bullards Park and onto the Hillrose property.

6. Traffic Issues - The three issues raised at the Worksession were:

(a) Comparison of Great Falls Road traffic with that on Maryland Avenue - The City's Chief Engineer for Transportation provided statistics from May 1996. Great Falls Road currently carried two-thirds of the traffic of Maryland Avenue and an estimated five percent of current truck traffic on Great Falls Road.

(b) Scope of work of Great Falls Road project (will blind spots be

eliminated?) - A major component of the project are new curb and gutter, construction of sidewalks and closed drainage system and landscaping and traffic control devices. With the reduction of site line obstructions, staff believes there will be some improvements.

(c) Assuming operational responsibility for Great Falls Road - There are pros and cons for the both the State and the City tied to this issue. Staff believes that further discussion is needed before any transfer is recommended.

The Mayor and Council discussed staff's responses to the questions raised on the issues. Following discussion, staff was instructed to proceed with the PRU application based on the following directions:

- Six-foot side setbacks.
- Regarding deviation issue, Mayor and Council agreed with the 149 units using the five percent formula.
- The Planning Commission should approve the design guidelines.
- Regarding the issue of density, the Mayor and Council agreed that if the developer proposed less units, the application did not need to come back to the Mayor and Council for further review. If the Planning Commission felt that the number of units did not fit, the application would then need to come back to the Mayor and Council.
- Mayor and Council want to see pedestrian paths established through the neighborhood.
- Mayor and Council support the key elements that the developer offered to the neighbors in the agreement between West End and Chestnut Lodge

(including a set-aside for the historic house and district; no thru traffic to Thomas and Wall Streets; Bullards Park, and all the different buffers specified in the agreement).

- Establishment of a tot lot in the eastern end of the development.
- As the storm water management facilities are designed and the detailed plans for grading are done, adequate facilities and drains should be in place to make sure that water does not create additional problems for the residents of Rose Hills Falls.
- Staff to ask the Planning Commission to determine whether it is feasible to get an additional access road off Great Falls Road.

The Resolution approving the Planned Residential Unit Application and the Map Amendment Application will come back before the Mayor and Council at their July 28 General Session.

Re: Acceptance of Application, Text Amendment TXT97-0160 Miller, Miller & Canby, Applicant, on behalf of American Pawnbrokers. To amend the Zoning Ordinance to define "pawnbrokering establishments" and to permit the use in the I-1, Service Industrial Zone.

As part of the processing of an application for a Text Amendment, the Mayor and Council has a preliminary review of the proposal. If the Mayor and Council wishes, the application is then forwarded to the Planning Commission for its

recommendation and review.

Ms. Rother noted that the correct number for the Text Amendment Application should be TXT97-0160 (the agenda materials incorrectly read TXT97-0161). The text amendment application requests the addition of a definition for a "pawnshop to the City's Zoning Ordinance and that pawnbrokering establishments be added to the Table of Uses as a permitted use in the I-1 Zone. Current interpretation of the Ordinance allows a pawnshop to operate as a retail use because the most visual element of the business is sale of pawned items. Retailing in the I-1 Zone is limited to certain commodities appropriate in an industrial zone. This limitation excludes jewelry and other general retail items that are not deemed appropriate in an industrial zone.

Councilmember Wright commented that the pawn shop located on East Gude Drive was allowed to operate it originally did not gin as a retailing operation. However, at some point, the shop began retailing operations, e.g., selling jewelry. He asked staff to reconstruct some history on this pawn shop in terms of how it got started, what it did as a business, and when it was noted that there were changes in the business. It appeared that they operated as a retail operation without approval for a number of years and no one said anything about it. Mr. Kuckkahn said that staff would review the issue comprehensively.

Councilmember Harrison requested that staff review the ban adopted by Prince George's County and the changes regarding pawnshops being considered by Montgomery County.

Councilmember Dorsey said that he liked the idea of a comprehensive

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review of the pawnshop issue and a clear definition of pawnshops; however, he would like to see the City ban pawnshops altogether.

Councilmember Marrinan said that the Mayor and Council could go through with a comprehensive study to look at the definition and other issues; however, there was a consensus that the Park Road location was an inappropriate place for the pawn shop. He inquired how the City could have it removed as soon as possible. Following discussion, the Mayor and Council agreed that there was no interest in moving forward with the Text Amendment application.

Staff was directed to take a broader look at the issue of pawnshops and where they would be allowed, whether there should be some standards if they were located in certain zones; and if they should not be within certain distances of residential uses.

Upon motion of Councilmember Wright, duly seconded and unanimously passed, Text Amendment Application TXT97-0160 was rejected.

Re: Adoption of Resolution to extend the moratorium on the filing of special development procedure applications pursuant to Article XII, Division 6, Residential Townhouse Development (RTH) under the Planning and Zoning Ordinance, until November 1, 1997.

Resolution No. 7-97

Upon motion of Councilmember Harrison, duly seconded and unanimously passed, the Resolution to extend the moratorium on the filing of special development procedure applications was adopted. A copy of the full text of the Resolution may be

found in Resolution Book No. 11 of the Mayor and Council.

Re: Adoption of Resolution to designate the "Synthesis of Pedestrian Policies" (November 1994) as the baseline policy for encouraging, establishing and maintaining a safe pedestrian environment.

Resolution No. 18-97

Mayor Krasnow said that by adopting the "Synthesis of Pedestrian Policies," the Mayor and Council were clearly stating that pedestrian safety and providing routes for pedestrians is a very important part of City policy. The Mayor and Council want the needs of the pedestrian to figure into all planning decisions.

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, the Resolution designating the "Synthesis of Pedestrian Policies" as the City's baseline policy for encouraging, establishing and maintaining a safe pedestrian environment, was adopted. A copy of the full text of the Resolution may be found in Resolution Book No. 11 of the Mayor and Council.

Re: FYI/Correspondence

1. Councilmember Marrinan inquired whether the Scott Drive sidewalk project was completed by the anticipated completion date of July 10. Mr. Kuckkahn responded in the affirmative.

2. Councilmember Harrison asked the City Manager to provide residents with a complete report on the Twinbrook Bridge rehabilitation project. This is not a City project and the City was only recently notified that the project would be taking place.

3. Councilmember Wright commented on the number of Bikeway Plan Open Houses scheduled by the City. He attended the second open house and he said that he hoped to see a larger group of people attend these. He encouraged residents to attend these open houses, especially if their streets are identified as being impacted by the Plan. Residents should check Rockville Reports for a listing of the streets.

4. Councilmember Harrison said that on July 16, the Planning Commission was considering the County's application for a permanent use permit for the Central Processing Unit. The Commission meeting will be televised on Channel 53 at 7:30 p.m.

Re: New Business

1. Mayor Krasnow said that the City received a letter from resident Don Barrack who had been issued citations for keeping a trailer for his sports car parked in front of his home. Mr. Barrack pointed out that the City's legislation allowed camping, boat, travel trailers, or any other vehicle licensed as a multi-purpose passenger vehicle on a residential street; however, he could not park a recreational car trailer on the street. Mayor Krasnow said that she agreed that the law did not make sense. However, she said that any proposed text amendment to change the law needed to specify "recreational car trailer" because there were other various types of trailers that carried lawn mowers and other equipment that were associated with businesses. Staff was asked to bring forth a text amendment to change the law on all public City streets, unless a homeowner association law superseded this on private streets.

2. Mayor Krasnow noted the receipt of a letter from Luis Cabrejo, President of Hispanics United for Rockville (HUR), regarding the fact that the City did not fund

HUR's request for computer courses in Fiscal Year 1998. The Mayor and Council chose not to fund the \$10,000 request because they want to concentrate City resources on the computer center being established in the Lincoln Park Community Center. Mr. Cabrejo indicated that HUR expected to get the funds and had already started teaching five courses at a cost of \$1890, and he asked that the City make a disbursement for these courses.

The Mayor and Council discussed the request and agreed that the City had not made any promise on HUR's request. Public Hearings on the budget were held and Mr. Cabrejo testified in support of the HUR computer program; however there was no commitment made on the City's part to fund the request. Mr. Kuckkahn advised that the Mayor and Council could act to provide the resources requested by HUR and he said there were resources available from which the Mayor and Council could authorize the funds. However, he said that the issue was not a simple one; the City received many requests asking that the Mayor and Council re-think budget decisions, and Mr. Kuckkahn said that this was not a good precedent to set.

Councilmember Marrinan agreed that the wrong precedent would be set to proceed with providing a service that the City had never agreed to, and he recommended that HUR's special request be denied. Staff was asked to respond in writing to Mr. Cabrejo's request.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 10:17 p.m., to convene again in Public Hearing at 7:30 p.m. on July 21, 1997, or at the call of the Mayor.